

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

LAMARR PETE NEWBERN,

Petitioner,

CASE NO. 2:09-cv-00606

JUDGE HOLSCHUH

MAGISTRATE JUDGE KEMP

v.

ROSS CORRECTIONAL INSTITUTION,

Respondent.

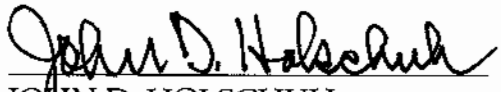
OPINION AND ORDER

On August 10, 2009, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. 2254 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

9-3-09

  
JOHN D. HOLSCHUH  
United States District Judge